

# **TOWN OF DAVIE**

## **TOWN COUNCIL AGENDA REPORT**

**TO:** Mayor and Councilmembers

**FROM/PHONE:** Mark A. Kutney, AICP, Development Services Director/ (954) 797-1101

**PREPARED BY:** Ingrid Allen, Planner II

**SUBJECT:** Quasi Judicial Hearing: Ordinance, ZB 9-2-05 / Vietnamese Buddhist Cultural Center/ 2321 SW 127th Avenue/ Generally located on the westside of SW 127th Avenue approximately 970 feet north of SW 26th Street.

**AFFECTED DISTRICT:** District 3

**TITLE OF AGENDA ITEM:** AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, APPROVING REZONING PETITION ZB 9-2-05, CHANGING THE CLASSIFICATION OF CERTAIN LANDS WITHIN THE TOWN OF DAVIE FROM A-1, AGRICULTURAL DISTRICT TO CF, COMMUNITY FACILITIES DISTRICT; AMENDING THE TOWN ZONING MAP TO COMPLY THEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

**REPORT IN BRIEF:** Rezone the subject site FROM: A-1, Agricultural District TO: CF, Community Facilities District

The 2.09 acre site currently houses the Vietnamese Buddhist Cultural Center. In order to allow the existing facility and a proposed expansion, it is required that the applicant rezone the site from A-1, Agricultural District which does not permit Houses of Worship to CF, Community Facilities District, which does permit Houses of Worship.

According to the Town's Comprehensive Plan, Community Facilities including Houses of Worship are allowed in the R1, Residential 1 Dwelling Unit per Acre, land use category provided such development is compatible with and does not adversely affect the development of surrounding land for designated purposes. As a means of making the site compatible, the applicant has agreed to the construction of drainage improvements, paving on the one half portion of the roadway of 127th Avenue immediately adjacent to the eastside property, and the construction of the nearest paved road to the south. In addition, the applicant will be required to comply with the landscaping and development standards of the Land Development Code to include landscaping buffering, street trees, minimum setbacks, maximum height, and maximum building coverage.

The applicant has submitted concurrently with this rezoning application the variance application, V 9-1-05, requesting to reduce the required 2500' distance separation between Houses of Worship.

**PREVIOUS ACTIONS:** At the October 18, 2006 Town Council meeting, Councilmember Starkey made a motion, seconded by Mayor Truex, to approve ZB 9-2-05 subject to the following conditions: a limit on the maximum number of people living on the premises shall be eight (8); that the property be deed restricted to only the Vietnamese Buddhist Cultural Center; if a sale takes place, the property shall revert back to A-1, Agricultural District, zoning designation; a Temporary Use permit, maximum four (4) per year, shall be required for special events and if a special event

should exceed 100 people then a suitable alternative location shall be found. (Motion carried 3-2 with Councilmember's Paul and Caletka being opposed. Councilmember Paul's opposition due to traffic concerns as a result of the expansion. Councilmember Caletka indicated that the proposed zoning change would not enhance the Town's tax base).

At the November 1, 2006 Town Council meeting, Councilmember Starkey made a motion, seconded by Councilmember Paul, to table Variance V 9-1-05 and Rezoning ZB 9-2-05 to the November 15, 2006 Town Council meeting. (Motion carried 5-0).

At the November 15, 2006 Town Council meeting, Councilmember Paul made a motion, seconded by Mayor Truex, to table Variance V 9-1-05 and Rezoning ZB 9-2-05 to the January 17, 2007 Town Council meeting. (Motion carried 5-0).

**CONCURRENCES:** At the September 27, 2006 Planning and Zoning Board meeting, Mr. Stevens made a motion, seconded by Ms. Turin, to approve subject to not having to contribute to the "traffic calming fund" however, they had to improve the roadway. (Motion carried 4-1 with Vice-Chair McLaughlin being opposed. Vice-Chair McLaughlin's reasons for denial include not meeting the required distance from existing Houses of Worship and the opposition to removing A-1 zoning district to accommodate CF.)

**FISCAL IMPACT:** not applicable

Has request been budgeted? n/a

If yes, expected cost: \$

Account Name:

If no, amount needed: \$

What account will funds be appropriated from:

Additional Comments:

**RECOMMENDATION(S):** Staff finds the subject application complete and suitable for transmittal to the Planning and Zoning Board and Town Council for further consideration subject to the following condition:

1. Contingent upon approval of Variance application, V 9-1-05, submitted concurrently with this Rezoning application.

**Attachment(s):** Ordinance, Planning Report, Citizen Participation Report, Justification, Survey, Location Map, Proposed Site Plan, Resident Petitions (submitted at the November 15, 2006 Town Council meeting), Land Use Map, Zoning and Aerial Map

ORDINANCE \_\_\_\_\_

AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, APPROVING REZONING PETITION ZB 9-2-05, CHANGING THE CLASSIFICATION OF CERTAIN LANDS WITHIN THE TOWN OF DAVIE FROM A-1, AGRICULTURAL DISTRICT TO CF, COMMUNITY FACILITIES DISTRICT; AMENDING THE TOWN ZONING MAP TO COMPLY THEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the Town Council of the Town of Davie authorized the publication of a notice of a public hearing as required by law, that the classification of certain lands within the Town be changed from A-1, Agricultural District **TO:** CF, Community Facilities District;

WHEREAS, said notice was given and publication made as required by law, and a public hearing there under was held on the date of the adoption of this ordinance.

WHEREAS, the Town Council of the Town of Davie finds that it is in the best interest of the Town that the property owner, based upon voluntary commitments, enter into a voluntary restrictive covenant.

WHEREAS, the subject property is located on a two-lane local road (SW 127<sup>th</sup> Avenue) and in the best interest of the local health, welfare and safety of the surrounding neighborhood, the property owner is voluntarily agreeing to mitigate as provided herein.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE FLORIDA:

SECTION 1. That the property herein after described be and the same is hereby rezoned and changed from A-1, Agricultural District **TO:** CF, Community Facilities District;

a. The subject property is described in Exhibit “A,” which is attached hereto and made a part hereof.

SECTION 2. That the zoning map heretofore adopted by the Town Council be and the same is hereby amended to show the property described in Section 1, herein, as CF, Community Facilities District subject to the following voluntarily stipulated matters by the owner:

a. A limit on the maximum number of people living on the premises shall be eight (8).

b. That the property be deed restricted to only the Vietnamese Buddhist Cultural Center.

c. If a sale takes place, the property shall revert back to A-1, Agricultural District, zoning designation.

d. A Temporary Use permit, maximum four (4) per year, shall be required for special events and if a special event should exceed 100 people then a suitable alternative location shall be found.

SECTION 3. All Ordinances or parts of Ordinances in conflict herewith are to the extent of such conflict hereby repealed.

SECTION 4. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion of this Ordinance.

SECTION 5. This Ordinance shall take effect immediately upon its passage and adoption.

PASSED ON FIRST READING THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2007.

PASSED ON SECOND READING THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2007.

\_\_\_\_\_  
MAYOR/COUNCILMEMBER

ATTEST:

\_\_\_\_\_  
TOWN CLERK

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2007.

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**TOWN OF DAVIE**  
**Development Services Department**  
**Planning and Zoning Division**  
*Staff Report and Recommendation*

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**Applicant Information**

**Owner:**

**Name:** Vietnamese Buddhist Cultural Center  
**Address:** 2321 SW 127<sup>th</sup> Avenue  
**City:** Davie, FL 33325  
**Phone:** (503) 957-7739

**Petitioner:**

Tina Franetic  
4845 SW 148<sup>th</sup> Avenue  
Davie, FL 33330  
(954) 434-2299

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**Background Information**

**Date of Notification:** September 20, 2006      **Number of Notifications:** 32

**Application History:** No deferrals have been requested.

**Application Request:** Rezone the 2.09 acre subject site **FROM:** A-1, Agricultural District; **TO:** CF, Community Facilities District.

**Address/Location:** 2321 SW 127<sup>th</sup> Avenue/Generally located on the westside of SW 127<sup>th</sup> Avenue approximately 970 feet north of SW 26<sup>th</sup> Street.

**Future Land Use**

**Plan Map Designation:** Residential (1 DU/AC)

**Existing Zoning:** A-1, Agricultural District

**Proposed Zoning:** CF, Community Facilities District

**Existing Use:** Vietnamese Buddhist Cultural Center - one story mobile home, and one story garage

**Proposed Use:** 4,800 square foot house of worship

**Parcel Size:** 2.09 acres

**Surrounding Uses:**

**North:** Nursery  
**South:** Single family dwelling  
**East:** Nursery and single family dwelling  
**West:** Nursery

**Surrounding Future Land Use Plan Map Designations:**

**North:** Residential (1 DU/AC)  
**South:** Residential (1 DU/AC)  
**East:** Residential (1 DU/AC)  
**West:** Residential (1 DU/AC)

**Surrounding Zoning:**

**North:** A-1, Agricultural District  
**South:** A-1, Agricultural District  
**East:** AG, Agricultural District  
**West:** A-1, Agricultural District

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**Zoning History**

**Plat:** The plat, Flamingo Groves Unit ‘E’, was approved by Broward County on February 23, 1929, and subsequently recorded in Plat Book 15, Page 5.

**Concurrent requests on same property:** Variance application, V 9-1-05, requesting a Variance from: Section 12-34 (DD) of the Land Development Code, which requires that no freestanding house of worship shall be located closer than 2500’ from any other freestanding house of worship. To: Reduce the requirement so that the Vietnamese Buddhist Cultural Center is located 1609.64’ from the Hanmi Baptist Church and 2310.54’ from the Calvary Chapel Sawgrass.

**Related zoning requests:** Rezoning application, ZB 2-1-02 Hanmi Baptist Church, requesting the rezoning of 4.99 acre subject site from AG, Agricultural District, to CF, Community Facilities District, in order to allow the development of a House of Worship, was approved by Town Council on February 19, 2003.

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**Applicable Codes and Ordinances**

Section 12-307 of the Land Development Code, review for rezonings.

§12-24 (J) (13) Community Facilities (CF) District. The CF District is intended to implement the community facilities classification of the Town of Davie Comprehensive Plan by providing areas for location of community facilities.

§12-83 Commercial Conservation Standards, CF, Community Facilities District requires the following minimums: lot area of 43,560 square feet, 100’ lot frontage, 50’ front setback, 25’ side setback, 25’ rear setback, 35’ maximum height, 40% maximum building coverage, and 30% minimum open space.

§12-34 (DD) Churches, Houses of Worship: No freestanding house of worship shall be located closer than twenty-five hundred (2500) feet from any other freestanding house of worship, measured from the nearest point on the nearest property line of one house of worship to the nearest point of the nearest property line of another house of worship in a straight line. The applicant shall furnish a certified survey from a land surveyor registered in the State of Florida, indicating the distance between the property lines of the proposed house of worship and any other house of worship.

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## Comprehensive Plan Considerations

**Planning Area:** The subject property falls within Planning Area 2. Planning Area 2 includes the westernmost section of the Town north of Orange Drive and south of SW 14 Street, and bound on the west by Interstate 75 and on the east by SW 100 Avenue. The predominant existing and planned land use is single family residential at a density of one dwelling per acre.

**Broward County Land Use Plan:** The subject site falls within Flexibility Zone 113.

**Applicable Goals, Objectives & Policies:** *Future Land Use Plan, Objective 5: Consistency of Development with Comprehensive Plan, Policy 5-2:* The (re)zoning, (re)platting, and site planning of land shall be in compliance with the density ranges shown on the Davie Future Land Use Plan map and the applicable Future Land Use Designation provisions as contained in the Permitted Use portion of the Implementation Section.

*Future Land Use Plan, Community Facilities Use, Policy 13-2:* Community Facilities may be permitted in land use categories other than Community Facilities category, provided such development is compatible with and does not adversely affect the development of surrounding land for designated purposes.

*Future Land Use Plan, Objective 17: Land Use Compatibility and Community Appearance, Policy 17-2:* No property within the Town shall be rezoned to a zoning district that is not in compliance with the Davie Future Land Use Plan.

*Future Land Use Plan, Objective 17: Land Use Compatibility and Community Appearance, Policy 17-3:* Each development proposal shall be reviewed with respect to its compatibility with adjacent existing and planned uses.

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## Public Participation

The public participation process provides the ability for citizens of the Town of Davie to actively participate in the Town's development procedures. The applicant conducted two (2) meetings with the public on December 5, 2005 and December 10, 2005. Attached is the applicant's Citizen Participation Report.

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## Application Details

The applicant is requesting to rezone the 2.09 acre subject site from A-1, Agricultural District to CF, Community Facilities District in order to allow the existing facility (House of Worship) and the proposed expansion of the Vietnamese Buddhist Cultural Center. According to the applicant, there are approximately 28 members at the current facility although within the next ten (10) years membership will grow to a maximum of 200 to 250 members. As a result of this estimated growth, the applicant proposes a 4,800 square foot worship building for which a site plan has been submitted with this application. The current zoning district of A-1, Agricultural District, does not permit Houses of Worship therefore it is required that the applicant rezone the site to CF, Community Facilities District which does permit Houses of Worship. In addition, Variance application, V 9-1-05, has been submitted concurrently with this rezoning application. The variance request is to reduce the 2,500 foot minimum separation between Houses of Worship so that the existing Vietnamese Buddhist Cultural Center can be located 1609.64' from the Hanmi Baptist Church and 2310.54' from the Calvary Chapel Sawgrass.

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## Staff Analysis

The purpose of this rezoning request is to allow the existing facility of the Vietnamese Buddhist Cultural Center and the proposed 4,800 square foot worship building to have the required CF, Community Facilities District, zoning district designation. According to the Land Development Code, the 2.09 acre site meets the 43,560 square feet minimum lot area requirement and the minimum 100 foot frontage requirement of the CF, Community Facilities District.

According to the Town's Comprehensive Plan, Community Facilities including Houses of Worship are allowed in the R1, Residential 1 Dwelling Unit per Acre, land use category provided such development is compatible with and does not adversely affect the development of surrounding land for designated purposes. Access to this site is off SW 127<sup>th</sup> Avenue, a local road. Currently there are no other Houses of Worship on this road. Both the Hanmi Baptist Church and the Calvary Chapel Sawgrass access off Flamingo Road, a major arterial road.

The applicant has proposed to make the project compatible through the following: agreeing to the construction of drainage improvements, paving on the one half portion of the roadway of 127<sup>th</sup> Avenue immediately adjacent to the eastside of the property, the construction of the nearest paved road to the south, ~~and pledging to contribute to the "local road and traffic calming fund"~~. In addition, the applicant will be required to comply with the landscaping and development standards of the Land Development Code to include landscape buffering, street trees, minimum setbacks, maximum height, and maximum building coverage. The proposed site plan for a 4,800 sq. ft. worship building places the worship building in the center of the site, the furthest portion of the site from residential and also places a proposed retention pond on the southern part of the site further buffering the building from residential.

The proposed rezoning to CF, Community Facilities District is compatible with surrounding land use categories all of which are R1, Residential 1 DU/AC.

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## Findings of Fact

### **Rezoning:**

#### **Section 12-307(A) (1):**

#### **The following findings of facts apply to the rezoning request:**

- (a) The proposed change is not contrary to the adopted comprehensive plan, as amended, or any element or portion thereof;

The Town of Davie Comprehensive Plan permits Community Facilities to include Houses of Worship within the Residential 1 DU/AC Future Land Use Plan Map designation and therefore rezoning the site to CF, Community Facilities District, is compatible with the underlying land use category.

- (b) The proposed change will not create an isolated zoning district unrelated and incompatible with adjacent and nearby districts;

*Designating the site to CF, Community Facilities District, is compatible with the adjacent, Agricultural District zoning designation since this district is compatible with the R1, Residential 1 DU/AC, land use category and the proposed development of the site as a House of Worship will be made compatible through the application of the Land Development Code's setback and buffering requirements.*

- (c) Existing zoning district boundaries are logically drawn in relation to existing conditions on the property proposed for change;



*The existing A-1, Agricultural District, boundaries are the original zoning boundaries and are logically drawn.*

- (d) The proposed change is not expected to adversely affect living conditions in the neighborhood;

*Designating the site CF, Community Facilities District, in order to allow the existing facility and the proposed 4,800 square foot House of Worship is not expected to have a negative impact on the neighborhood. Community Facilities including Houses of Worship are permitted in the Residential 1 DU/AC land use category. The Land Development Code requires that the site be designed to account for the adjacent uses by providing for minimum setbacks, limiting building height, and requiring landscape buffers.*

- (e) The proposed change may create or excessively increase automobile and vehicular traffic congestion above that which would be anticipated with permitted intensities or densities of the underlying land use plan designation, or otherwise affect public safety;

*The traffic generated by the proposed 4,800 square foot House of Worship may be, at times, considerably more than single family residential development on the site. As a means of addressing this issue, the applicant has agreed to the construction of drainage improvements, paving on the one half portion of the roadway of 127<sup>th</sup> Avenue immediately adjacent to the eastside of the property, the construction of the nearest paved road to the south, ~~and pledged to contribute to the "local road and traffic calming fund"~~.*

- (f) The proposed change is not expected to adversely affect other property values;

*The applicant will be required to meet the conventional nonresidential development standards for the CF, Community Facilities District, to include minimum setbacks, limiting building height, and requiring landscape buffers. In addition, the applicant held the required two (2) public participation meeting whereby notices were sent to all property owners within 1000 feet of the subject property. The applicant's public participation report indicates that no questions were raised regarding the affect to surrounding property values.*

- (g) The proposed change will not be a deterrent to the improvement or development of other property in accord with existing regulations;

*Designating the site CF, Community Facilities District, will not cause the adjoining property owners from continuing to utilize the property as it is now, or how it can be used.*

- (h) The proposed change does not constitute a grant of special privilege to an individual owner as contrasted with the welfare of the general public;

*Approval of this rezoning request will not give the owner a unique benefit that harms the welfare of the general public. The request is consistent with the Future Land Use Plan Map designation of Residential (1 DU/AC).*

- (i) There are not substantial reasons why the property cannot be used in accord with existing zoning.

*The existing zoning designation of A-1, Agricultural District, is intended to implement the Agricultural and Residential one (1) dwelling unit per acre classifications of the Town of Davie*

*Comprehensive Plan and therefore the site can be developed according to the existing zoning district standards with the exception of a House of Worship.*

- (j) The proposed zoning designation may not be the most appropriate designation to enhance the Town's tax base given the site's location relative to the pattern of land use designations established on the future land use plan map, appropriate land use planning practice, and comprehensive plan policies directing land use location.

*According to the applicant, the Vietnamese Buddhist Cultural Center is a non-profit corporation. The proposed zoning designation of CF is the most appropriate as it currently exists as the Vietnamese Buddhist Cultural Center, a House of Worship, and whereby the underlying land use of Residential 1 DU/AC permits a House of Worship. However, under the existing zoning designation of A-1, Agricultural District, the 2.09 acre parcel may be developed as a single family residence which would enhance the Town's tax base.*

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### **Staff Recommendation**

Staff finds the subject application complete and suitable for transmittal to the Planning and Zoning Board and Town Council for further consideration subject to the following condition:

1. Contingent upon approval of Variance application, V 9-1-05, submitted concurrently with this Rezoning application.
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### **Planning and Zoning Board Recommendation**

At the September 27, 2006 Planning and Zoning Board meeting, Mr. Stevens made a motion, seconded by Ms. Turin, to approve subject to not having to contribute to the "traffic calming fund" however, they had to improve the roadway. (Motion carried 4-1 with Vice-Chair McLaughlin being opposed. Vice-Chair McLaughlin's reasons for denial include not meeting the required distance from existing Houses of Worship and the opposition to removing A-1 zoning district to accommodate CF.)

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### **Town Council Action**

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#### **Exhibits**

1. Citizen Participation Report
2. Justification
3. Survey
4. Location Map
5. Proposed Site Plan
6. Resident Petitions (submitted at the November 15, 2006 Town Council meeting)
7. Future Land Use Plan Map
8. Zoning and Aerial Map

Prepared by: \_\_\_\_\_

Reviewed by: \_\_\_\_\_

December 20, 2005

Mr. Chris Gratz  
Town Administrator  
Town of Davie  
6591 Orange Drive  
Davie, FL 33314

Re: Rezoning Application No. ZB9-205  
Variance Application No. V9-1-05  
"Citizens Participation Report"

Dear Chris;

In accordance with the Town of Davie's Citizens Participation Ordinance and the "Citizen Participation Plan" which was previously submitted to the Town, we have held two (2) meetings with neighbors. The following is a summary of the process which was followed.

On Monday November 21, 2005, a meeting notice was mailed via "Certified Mail" to all property owners within 1,000 feet of the subject property; a copy of the notice is attached for your reference. A total of 31 notices were mailed. On Monday November 28, 2005 an additional notice was mailed indicating an address correction, these notices were also delivered by "Certified Mail" to all property owner. A copy of the second notice is also attached. The Citizens Participation meetings were held at the "Eastside Community Hall" at 4300 SW 55 Avenue, Davie. On Monday December 5, 2005 at 7:00 pm and Saturday December 10, 2005 at 11:00 am. Attached is the "Sign-In Sheet" from each meeting, and a summary of the meeting discussion.

Exhibit "A" -	Sign-in sheet for meeting held December 5, 2005
Exhibit "B" -	Summary of Discussion for meeting held Dec.5, 2005
Exhibit "C" -	Sign-in sheet for meeting held December 10, 2005
Exhibit "D" -	Summary of Discussion for meeting held Dec.10, 2005

I trust this information will comply with the Town's requirements and will allow the Town Council to proceed with the review of the rezoning and variance applications. Should you have any questions or need any additional information, please give me a call at (954) 804-7210.

Sincerely,

A handwritten signature in cursive script, appearing to read "Tina Franetic".

Tina Franetic, Realtor

Century 21, Ouellette Realty

On behalf of the Vietnamese Buddhist Cultural Center of Florida, Inc.

cc: Thanh Pham, President

Vietnamese Buddhist Cultural Center of Florida, Inc.

November 21, 2005

Dear Neighbors,

We are your neighbors , members of the Vietnamese Buddhist Cultural Center of Florida Inc, a non- profit corporation, legally organized according to the Florida laws, living @ 2321 SW 127<sup>th</sup> Ave Davie FL 33325.

This letter is to invite you to a citizen participation meeting relating to a rezoning application for a 2.09 acre parcel located at 2321 SW 127<sup>th</sup> Avenue. The property subject to the rezoning application is located on the East 276 feet of tract 181, Flamingo Groves unit 'E'. (See attached location map). The request is to change the zoning from its current Agriculture (AG) district to Community Facility (CF).

Under a Town of Davie ordinance, we are required to hold two (2) citizen participation meetings and send notice to all property owners within 1,000 feet of the site before the Town will initiate their review of the rezoning application. We have scheduled the following meetings.

First Meeting:	Date:	Monday December 5, 2005	Time: 7:00 PM
	Location:	Eastside Community Room 4300 SW 85 <sup>th</sup> Avenue 55 Davie, FL 33314	
Second Meeting:	Date:	Saturday December 10, 2005	Time: 11:00 AM
	Location:	Eastside Community Room 4300 SW 85 <sup>th</sup> Avenue Davie, FL 33314	

Note: Members of the Town Council may be present.

Our corporation is a spiritual, cultural and charitable institution *especially carrying out social activities* such as:

- 1-Daily and weekend tutoring classes for underprivileged kids,
- 2-Visit to sick senior people,
- 3- Aid to our needy disciple members,
- 4- Individual and family counseling,
- 5- Orientation for newcomers into USA to adjust to a new life in the USA.
- 6- Help provided to the people recommended by the community.

***We are helping people. Please help us to fulfill our duty.***

We are distributing a petition requesting that our neighbors favorably accept our settlement into the Town of Davie. Kindly sign this petition which will then be forwarded to the Town of Davie Council members showing your support.

Please believe that we respect our community and care very much about maintaining the quietness and peace to our neighbors in minimizing the noise, discomfort and avoiding the inconvenience caused by our car circulation.

Awaiting your favorable response, we would like beforehand to convey our expression of very warm thanks, appreciation and profound gratefulness to all of you.

Sincerely,  
Vietnamese Buddhist Cultural Center of Florida Inc,  
Board of Directors, President,

Thanh Pham .  
Tel: 954 - 424 9865.

(Petition joined)

## PETITION

The undersigned property owner/tenant voluntarily signs this Petition in support of the Vietnamese Buddhist Cultural Center of Florida Inc. plans, to continue operating its Buddhist Cultural Center , ***in residential zone*** @ 2321 SW 127<sup>th</sup> Ave, Davie FL 33325, City of Davie, County of Broward, State of Florida. We are living in the neighborhood of the Buddhist Cultural Center.

(A brief description of the current Buddhist Cultural Center activities, along with the names of its principal leaders, is attached as a part of this Petition).

\_\_\_\_\_  
Print Property Owner/Tenant Name

\_\_\_\_\_  
Print Property Owner/ Tenant Address

\_\_\_\_\_  
Date signed

\_\_\_\_\_  
Signature

**Vietnamese Buddhist Cultural Center of Florida Inc.**

\_\_\_\_\_  
Print Property Owner/Tenant Name

**2321 SW 127th Ave, Davie FL 33325**

\_\_\_\_\_  
Print Property Owner/Tenant Address

\_\_\_\_\_  
Date signed

\_\_\_\_\_  
Signature

Legal Description of Property: The East 276 feet of Tract 181, FLAMINGO GROVES

UNIT " E " , according to the Plat thereof , as recorded in Plat Book 15 , at page 5 Of Public Records of Broward County , Florida .

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**Memory note**

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**Dear Sir / Madam ,**

**Please call us @ 954-424-9865 any time when this petition has been signed and ready to be picked up by us.**

**Please also leave your address and your phone number, in your phone message.**

We thank you very much.

Sincerely,

The Buddhist Cultural Center.

**Tel: 954 - 424 9865**



**ATTENTION PLEASE  
ADDRESS CORRECTION  
NOTICE**

**CITIZENS PARTICAPATION MEETING**

**Held on behalf of**

**The Vietnamese Buddhist Cultural Center**

**Scheduled for Dec. 5th & 10th**

**New Address:**

**4300 SW 55th Avenue Davie 33314**

*Tina Franetic*

*(954) 804-7210*

ALMANDOZ CARLOS M		2100 SW 130 AVE	DAVIE FL 33325
ALVAREZ STEWART & AMY JO		12791 SW 26 ST	DAVIE FL 33325
ARPIN THEODORE J 1/2 INT	ARPIN JULIANN	2430 SW 130 AVE	DAVIE FL 33325
BENSON HAYWARD STEPHAN		2017 NW 46 AVE #205A	LAUDERHILL FL 33313
CASTANO FRANCIS F & CLARA I		2100 SW 127 AVE	DAVIE FL 33325
DIBIASE DOROTHY FAM LTD	PARTNERSHIP	PO BOX 780	LYNNFIELD MA 01940
DODDS MARK R &	DODDS ANAT	1431 SW 106 TERR	DAVIE FL 33324
EVERGLADES BOTANICAL LC		2075 S FLAMINGO RD	DAVIE FL 33325
FRIEDWALD DONE JR &	RIDGEWAY DONNA	12911 SW 26 ST	DAVIE FL 33325
GONZALEZ JORGE L & CANDIDA P &	GONZALEZ FERNANDO & JUSTINA N	2269 SW 127 AVE	DAVIE FL 33324
LETO JOHN A SR & JOAN A		2550 NOAH PL	DAVIE FL 33325
MASTER SOUND BUILDERS		5722 FLAMINGO ROAD #325	DAVIE FL 33330
MELE VERONICA		2421 SW 127TH AVE	DAVIE FL 33325-5600
MELE SIMONSON ESTATES HOA	% SIMONSON REAL ESTATE HOLDING	931 HARRISON ST	HOLLYWOOD FL 33019-1622
NICHOLS ASSOCIATES LTD		5021 SW 51ST ST	DAVIE FL 33314-5509
PACO DEVELOPMENT LLC		7116 SW 47 ST	MIAMI FL 33155
PEGG W S PEGG H S & ET UXES	PEGG JOE H	RR2 BOX 3408	NASHVILLE GA 31639
PENCE RONALD R &	PENCE DIANE L	2470 SW 130 AVE	DAVIE FL 33325-5601
QUINLVAN JOYCE E REV TRUST	QUINLVAN M R & QUINLVAN S M TR	11700 HILLCREST RD	SAINT CLOUD MN 56303-1415
REJA ENTERPRISES INC		1300 SE 17 ST CAUSEWAY #202	FT LAUDERDALE FL 33316
RENNER MARK &	RENNER MARIA	1804 SALERNO CIR	WESTON FL 33327
SABAU AUREL & DANIELA		5706 NE 17 TER	FT LAUDERDALE FL 33334
SANCHEZ MAURICIO & SIUPING		3271 NW 64 ST	FT LAUDERDALE FL 33309
SILER WYMER		2400 SW 130TH AVE	DAVIE FL 33325-5601
THEODORE JOSEPH & MONIQUE		1944 WATER RIDGE DR	WESTON FL 33326
TODINCA GEORGE & VALERIA ETAL		406 NW 68 AVE #914	PLANTATION FL 33317
TSAL JAMES H & SUE C		11795 SW 2ND ST	FORT LAUDERDALE FL 33325-2925
WARREN DAVID & CHARLENE		12761 SW 26 ST	DANIA FL 33325
WILSON HEIGHTS DEV INC		3842 W 16 AVE	HALEAH FL 33012
WOOD ROBERT L	% STAN WOOD	2075 S FLAMINGO RD	DAVIE FL 33325

Ken Cohen, Town Administrator  
Mayor Tom Truex  
Vice Mayor Lisa Hubert  
Councilmember Mike Crowley  
Councilmember Susan Starkey  
Councilmember Judy Paul

District 1  
District 2  
District 3  
District 4

— EXHIBIT "A" —  
 VIETNAMESE BUDDHIST CULTURAL CENTER OF FLA.

1<sup>ST</sup> CITIZENS PARTICAPATION MEETING  
 December 5, 2005 7:00 PM  
**SIGN-IN SHEET**

NAME	ADDRESS	PHONE
DANNY SMITH	941 Sun 63 Terr Maitland	954-973-7603
THVONG SMITH	11	11
Rev. T. B. Brown		954-731-3965
Ngai Nguyen		954-643-5405
Peter Pham		954-430-8787
BAY PHAM		954-971-0950
Minh Tran		954-328-4386
VIET SMITH		754-366-6913
DANNY SMITH		954-973-7603
Manh Nguyen		954 993 6264
Dung M. Truong		305-829-7264
Tony Van Pham		954-430-8787
Peter PHAM		954-986-9209
Huong Thi Nguyen		954 551-6052
Anh TIEN VAN		954-382-3952
Gai PHAM		954 442-8476
Hung Van		954 701-0673
Anh Minh Van		954-789-2270
HANH TRUONG		305 409 7331
Gai Thi Le		305 2109 7337
Linda Truong		954-205-5209



Joseph + Monique Theodore  
1944 Water Ridge Drive  
Weston, FL.

(954) 309-8208

~~3326~~ 33326

## EXHIBIT "B"

### Summary of Discussion Meeting held December 5, 2005

The first of two Citizens Participation meetings was held Monday December 5, 2005 at 7:00 pm at the Eastside Community Hall, 4300 SW 55 Avenue Davie, Florida 33314. The meeting was attended by 29 people, two of which were neighbors, the rest of the attendees were members of the Vietnamese Buddhist Cultural Center. The sign-in sheet is attached as "Exhibit "A".

Tina Franetic, Realtor with Century 21 Ouellette Realty, speaking on behalf of the Vietnamese Buddhist Cultural Center opened the meeting and explained the Town's Citizens Participation Ordinance, which requires an applicant to hold two meetings with neighbors who live within 1,000 feet of the subject property. She also explained to those in attendance that they will also have the opportunity to speak and raise their concerns at the Planning and Zoning Board and Town Council public hearings.

Tina Franetic explained that both a rezoning and variance application have been filed with the Town of Davie for the 2.09 acre parcel located at 2321 SW 127<sup>th</sup> Avenue. The property subject to the rezoning application is located on the East 276 feet of tract 181, Flamingo Groves unit "E". (See attached location map). The request is to change the zoning from its current Agriculture (AG) district to Community Facility (CF).

A discussion with the neighbors ensued. Joseph and Monique Theodore residing at 1944 Water Ridge Drive Weston viewed the proposed future site plan for the cultural center's Temple and the only question raised was in regards to the width of the easement on the South side of the property. While Mr. Theodore stated that he had no real concerns, he believes that the easement needs to be 16 feet wide. Tina Franetic responded by stating that she would contact the Planning and Zoning Dept. for the Town of Davie and would respond back to Mr. Theodore in writing with their reply.

No other questions were raised.

Refreshments were served and the meeting was adjourned at 8:15 pm.

— EXHIBIT — "C"  
 Sign - on Sheet  
 Dec. 10, 2005

<u>Name</u>	<u>Address</u>	<u>Phone</u>
HONG VAN		954-442-8476
TERRY PHAM		954 430 8787
HAI TRUONG		(305) 409-7331
MINH TRAN		954-326-4386
DANNY SMITH		954-973-7603
VIET SMITH		754 - 366-6913
Ken Pham		561 - 622-4285
Katie Golden		954-433-9186
Phuc Cong Van		954 517 9061
DUNG N. TRUONG		305-829-7264
THAIAN TRAN		954-572-2815
Angely Steele		954 551 2857
Tom Pham		954-424-9865
Chau Tram		(954) 572 2815

## EXHIBIT "D"

### Summary of Discussion Meeting held December 10, 2005

The second of two Citizens Participation meetings was held Saturday December 10, 2005 at 11:00 am at the Eastside Community Hall, 4300 SW 55 Avenue Davie, Florida 33314. The meeting was attended by 14 people; all the attendees were members of the Vietnamese Buddhist Cultural Center. No neighbors were in attendance. The sign-in sheet is attached as "Exhibit "C".

Tina Franetic, Realtor with Century 21 Ouellette Realty, speaking on behalf of the Vietnamese Buddhist Cultural Center opened the meeting and explained the Town's Citizens Participation Ordinance, which requires an applicant to hold two meetings with neighbors who live within 1,000 feet of the subject property. She also explained to those in attendance that they will also have the opportunity to speak and raise their concerns at the Planning and Zoning Board and Town Council public hearings.

Tina Franetic explained that both a rezoning and variance application have been filed with the Town of Davie for the 2.09 acre parcel located at 2321 SW 127<sup>th</sup> Avenue. The property subject to the rezoning application is located on the East 276 feet of tract 181, Flamingo Groves unit "E". (See attached location map). The request is to change the zoning from its current Agriculture (AG) district to Community Facility (CF).

No questions were raised.

Refreshments were served and the meeting was adjourned at 12:00 pm.



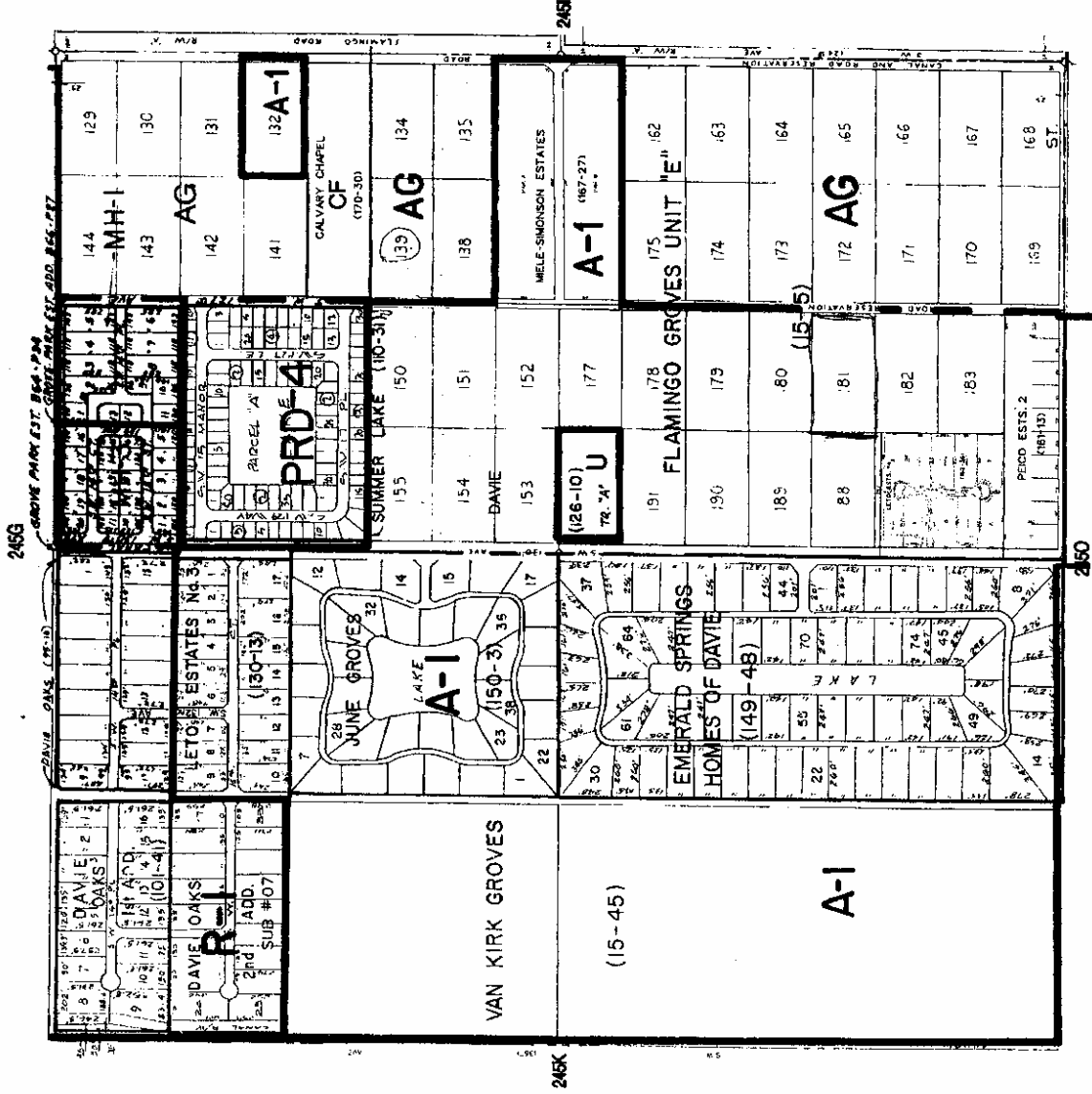
245

BROWARD COUNTY  
FLORIDA

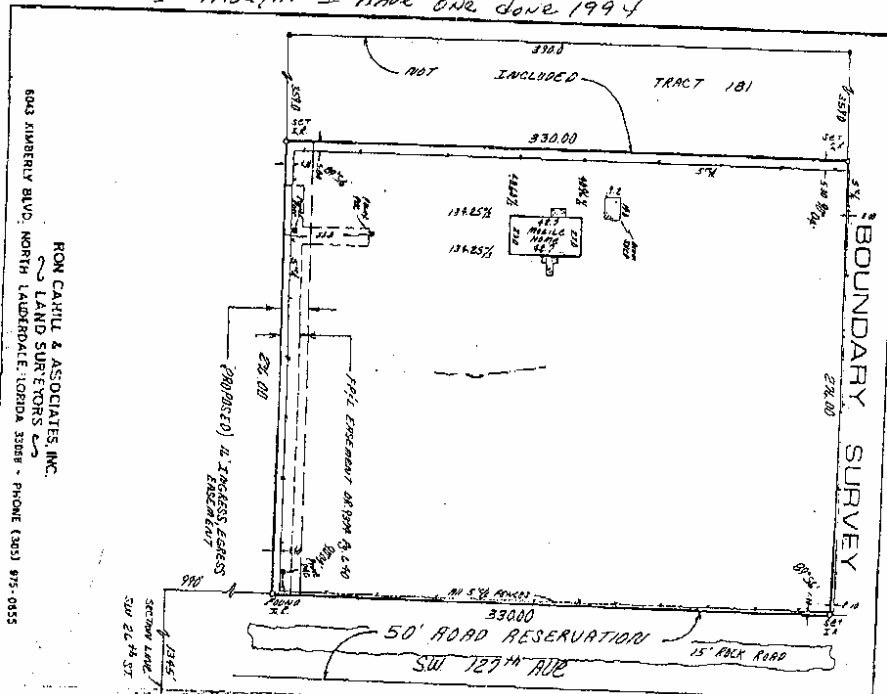
TWP. 30  
RNC. 10  
SEC. 11

APPROXIMATE  
SCALE  
1"=100'

Map Reduction: RES



3. I thought I have one done 1994



RON CARILL & ASSOCIATES, INC.  
2 LAND SURVEYORS  
6043 KIMBERLY BLVD. NORTH LAUDERDALE, FLORIDA 33068 • PHONE (305) 975-0855

Property Address: 2321 S.W. 17TH Avenue, Davie, Florida  
County: Dade  
Recorded In: DONALD AND SUSAN FORTNER  
Section / Sub: JAE Non B/C/D/H/O Date APRIL 6, 1988  
Last Day in Field 3-31-88  
I hereby certify that the survey shown herein was made in accordance with the Minimum Technical Standards for land mapping in the State of Florida 2B-HM-B-TAC.  
Surveyor's Signature: [Signature] License No. 10000  
Witness's Signature: [Signature] License No. 10000  
Officially Certified By: CARROLL S. [Signature]

THIS SURVEY IS CERTIFIED TO: ATTORNEYS, THE INSURANCE FUND,  
CHARLES B. BUTMAN P.A. and DONALD and SUSAN FROBER.

**DESCRIPTION:**  
The East 216.00 feet of Tract 18, "FLAMING GROVES UNIT 15", according to the plat recorded in Public Record No. 15, Page 5, of the Public Records of Broward County, Florida. Said lands situate, lying and being in Broward County, Florida.  
And containing 2.09 Acres more or less.

NOTES:

1. 2 INDICATES MARKER.
2. ELEVATIONS SHOWN HEREON ARE BASED ON N.C.V.D. OF 1929.
3. LOWEST FLOOD ELEVATION = 11.82 FEET.
4. HIGHEST ADJACENT ELEVATION = 11.47 FEET.
5. THIS N.E. 1/4 FLOOD MAPS HAVE DESIGNATED THE HEREIN DISCLOSED LANDS TO BE SITUATED IN ZONE A1. BASE FLOOD ELEVATION = 7.00 FEET.

BROWARD COUNTY  
FLORIDA  
ACRES



SECTION NUMBER REFERENCE



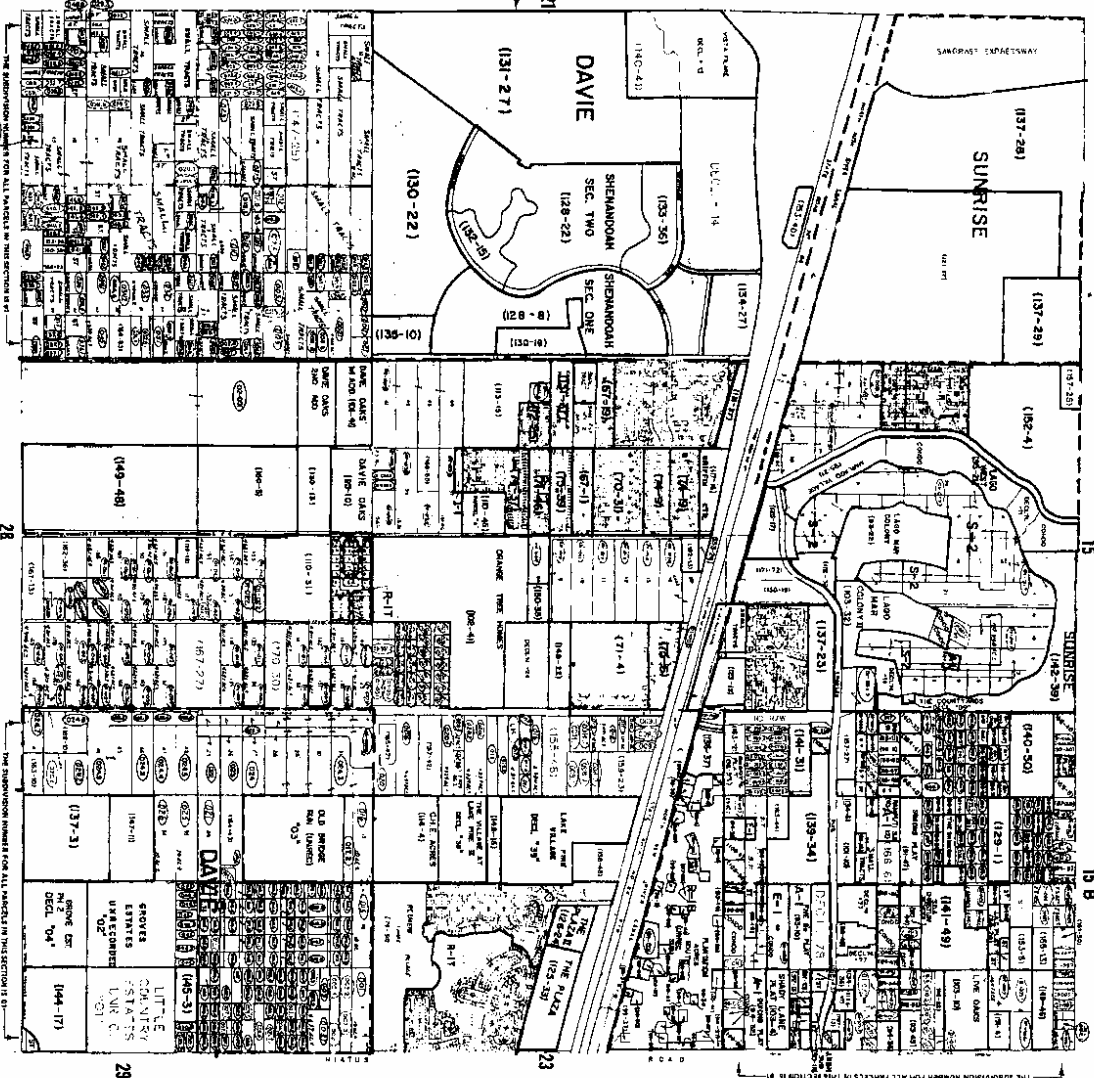
SECTIONS  
1 2 3 4 5 6  
7 8 9 10 11 12  
13 14 15 16 17 18  
19 20 21 22 23 24  
25 26 27 28 29 30  
31 32 33 34 35 36

NO PROJECTS ACROSS

PROJECT NUMBER OF INTEREST



APPROXIMATE  
SCALE  
1" = 360'



40

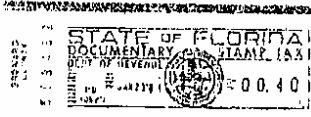
921-1-710  
ER No. RMJ 3199-1-710  
Pole No. 41-23535

EASEMENT  
THIS INSTRUMENT WAS PREPARED BY:  
PRESTON E. DRAIT 10  
c/o Florida Power & Light Co.  
P.O. Box 8248  
Fort Lauderdale, Florida 33310

Date DEC 26 19 80  
Sec. 14 Twp. 50S Rge. 40E

The undersigned, owner (s) of the premises described below, in consideration of the payment of \$1.00 and other good and valuable consideration, the adequacy and receipt of which is hereby acknowledged, grant and give to Florida Power & Light Company, its licensees, agents, successors, and assigns, an easement forever for the construction, operation and maintenance of overhead and underground electric utility facilities (including wires, poles, guys, cables, conduits and appurtenant equipment) to be installed from time to time; with the right to reconstruct, improve, add to, enlarge, change the site of and remove such facilities or any of them, on the property described as follows:

The South 10-foot of the East 250 feet and the South 50 feet of the West 10 feet of the East 225 feet all in Tract 101 of "FLAMINGO GROVES UNIT 'E'" as recorded in Plat Book 15, Page 5 of the Public Records of Broward County, Florida. Said land situate in Broward County, Florida.



RECEIVED  
FLORIDA POWER & LIGHT CO.  
FORT LAUDERDALE, FLA. 33310

Jan 21 2 33 PM '81

together with the right to permit any other person, firm or corporation to attach wires to any facilities hereunder and lay cable and conduit within the right of way and to operate the same for communications purposes with the right of ingress and egress to said premises at all times, to clear the land and keep it cleared of all trees, undergrowth or other obstructions within the easement area; to trim and cut and keep trimmed and cut all dead, weak, leaning or dangerous trees or limbs outside of the easement area which might interfere with or fall upon the lines or systems of communications or power transmission or distribution, and further grants, to the fullest extent the undersigned has the power to grant, if at all, the right heretofore granted on the land heretofore described, over, along and under the roads, streets or highways adjoining or

IN WITNESS WHEREOF, the undersigned has signed and sealed this agreement on December 26, 19 80.

Signed, sealed and delivered in the presence of:

[Signature]  
[Signature]

Jess F. Jeckel (SEAL)  
Consuelo C. Jeckel (SEAL)  
CONSUELO C. JECKEL (WIFE) (SEAL)

STATE OF FLORIDA AND COUNTY OF \_\_\_\_\_  
The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_  
by \_\_\_\_\_ and \_\_\_\_\_  
respectively the \_\_\_\_\_ President and \_\_\_\_\_ Secretary of \_\_\_\_\_  
corporation, on behalf of the corporation.

RECORDED IN THE OFFICIAL RECORDS BOOK  
OF BROWARD COUNTY, FLORIDA  
NOTARY PUBLIC, STATE OF FLORIDA BRADHAM W. WATT  
MY COMMISSION EXPIRES \_\_\_\_\_  
CLERK ADMINISTRATION

STATE OF FLORIDA AND COUNTY OF Broward  
The foregoing instrument was acknowledged before me this 26 day of December  
by Jess F. Jeckel and Consuelo C. Jeckel  
Jess F. Jeckel  
NOTARY PUBLIC, STATE OF FLORIDA  
MY COMMISSION EXPIRES \_\_\_\_\_



August 23, 2005

Town of Davie

Re: Vietnamese Buddhist Cultural Center of Florida, Inc.  
Thanh Pham, President  
2321 SW 127 Avenue  
Davie, Florida 33325  
ID #504014010531

This is a rezoning and variance request for the 2.09 acres located on the East 276 feet of tract 181, Flamingo Groves unit 'E'. I am writing this letter on behalf of the Vietnamese Buddhist Cultural Center of Florida Inc., a facility that caters to an ancient worship of peace and tranquility. Currently there are approximately 28 members and their families who visit the property to enjoy the peaceful setting and meditation.

The Vietnamese Buddhist Cultural Center of Florida has occupied this property since October 2004 with the approval of our Mayor, Mayor Truex. They have made a conscious effort to meet their neighbors and everyone is happy and getting along beautifully. In order for the members of the Cultural center to continue worship, they need the support of The Town of Davie. Services will be in Vietnamese. Because of this, the facility is estimated to grow to a maximum of 200 to 250 members within the next ten years. A future 4,800 square foot building will be more than adequate. Their plea today, is to present a site plan for the possible re-zoning of their property to Community Facility.

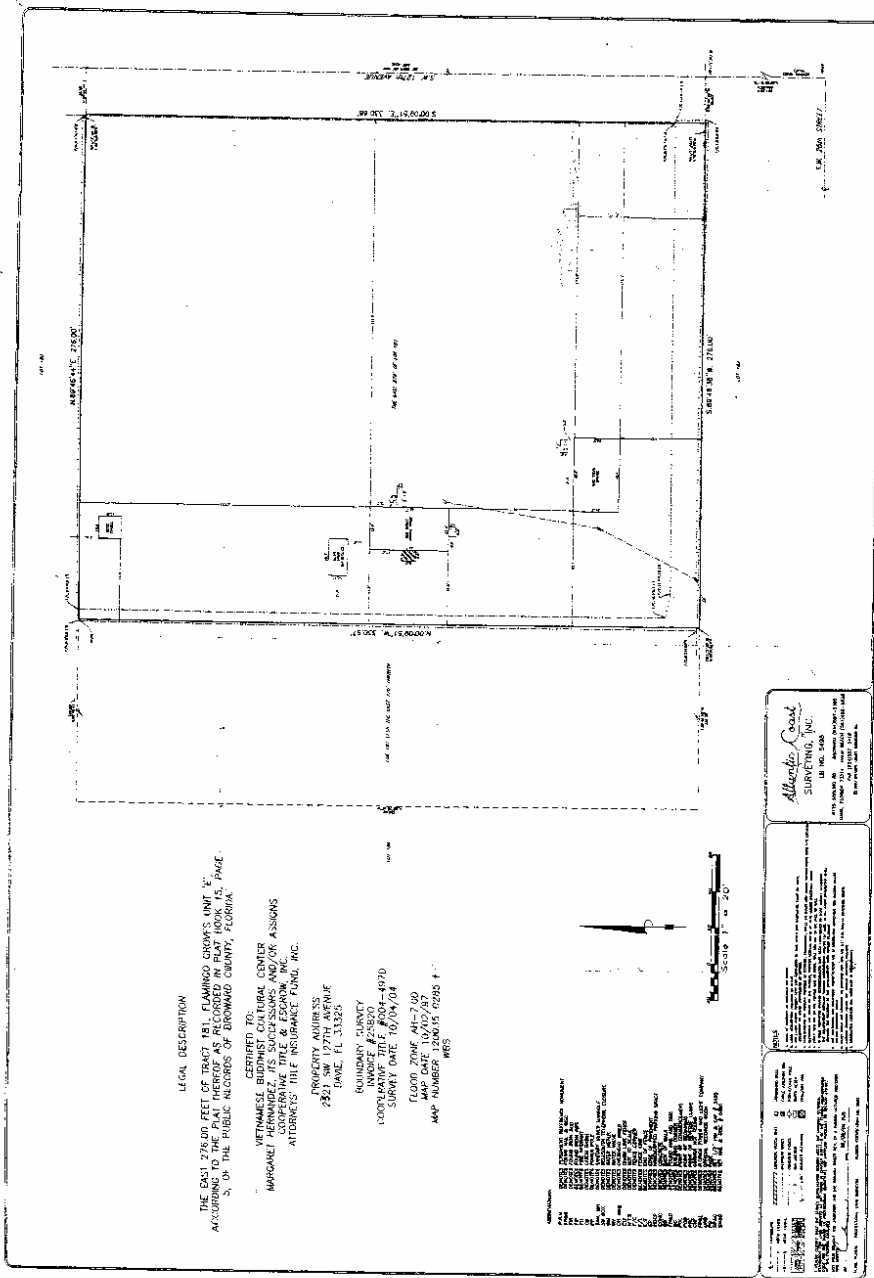
The rezoning will not affect the living conditions in the neighborhood because the members do not meet daily. The proposed change would not create an isolated zoning district, the adjacent properties are compatible to what we are trying to accomplish. We also understand that there needs to be at least 2500 feet between Houses of Worship. "The Hamni Baptist Church" is 1609.64 feet away, and "The North Calvery Church" is 2310.54 feet away, we are also asking for a variance.

Enclosed you will find a check in the amount of \$1,170 for zoning, and a check in the amount of \$930 for the variance. Please consider their plea. The Vietnamese Buddhist Cultural Center members are active contributing citizens of our great Town of Davie.

Thank you for your time and we look forward to hearing from you soon.



Tina Franetic  
On behalf of Thanh Pham, President  
Vietnamese Buddhist Cultural Center of FL Inc.



LEGAL DESCRIPTION

THE EAST 276.00 FEET OF TRACT 181, CLAMINGO SUBDIVISION, UNIT 1, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 145, PAGE 5, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

CERTIFIED TO:

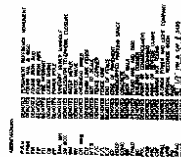
VIETNAMESE BUDDHIST CULTURAL CENTER  
2321 SW 127TH AVENUE  
DAVIE, FL 33325

PROPERTY ADDRESS:

2321 SW 127TH AVENUE  
DAVIE, FL 33325

BOUNDARY SURVEY:

INVOICE #20870  
10000 S.W. 127TH AVENUE, DAVIE, FL 33325  
SURVEY DATE: 10/04/04  
CLUSTER: 2004, 10/04/04  
MAP DATE: 10/01/07  
MAP NUMBER: 120615-0205 + WBS

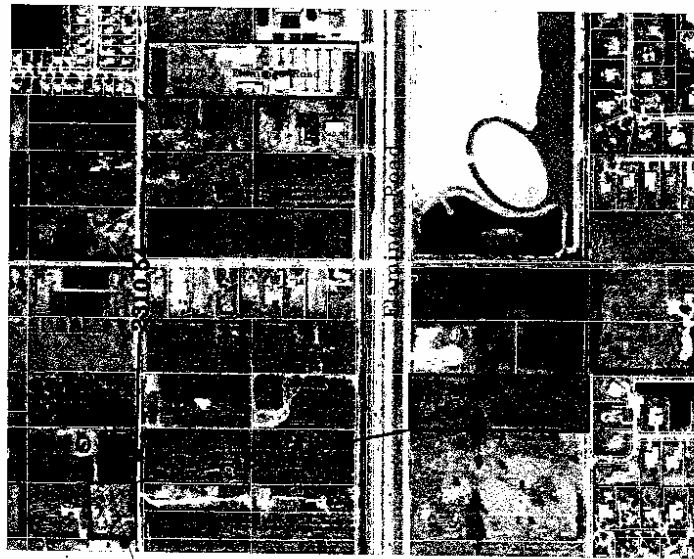


Scale 1" = 20'

<p><b>Atlantic Coast Surveying, Inc.</b> 1110 S.W. 127TH AVENUE DAVIE, FL 33325 TEL: 954-271-1110 FAX: 954-271-1111 WWW.ATLANTICCOASTSURVEYING.COM</p>	
<p><b>PROJECT:</b> VIETNAMESE BUDDHIST CULTURAL CENTER 2321 SW 127TH AVENUE DAVIE, FL 33325</p>	<p><b>DATE:</b> 10/04/04</p>
<p><b>CLIENT:</b> VIETNAMESE BUDDHIST CULTURAL CENTER 2321 SW 127TH AVENUE DAVIE, FL 33325</p>	<p><b>PROJECT NO.:</b> 120615-0205</p>
<p><b>DESCRIPTION:</b> BOUNDARY SURVEY INVOICE #20870 10000 S.W. 127TH AVENUE, DAVIE, FL 33325</p>	<p><b>CLUSTER:</b> 2004, 10/04/04</p>
<p><b>MAP DATE:</b> 10/01/07</p>	<p><b>MAP NUMBER:</b> 120615-0205 + WBS</p>

# LOCATION MAP

SCALE: N.T.S.



2321 S.W. 127th Avenue

2005 Aerial Photograph  
Broward County Public Records

Survey Date: 09/06/2005  
Job Number: 05-0193

Field Book: 05-0193  
Revision:

## R. Minguell, Inc.

Land Surveyors & Planners  
L.B. 7272

954-880-0908

Fax: 954-880-0920

Minguell@bellsouth.net

2841 Montevideo Avenue

Cooper City, Florida 33026

Certified to:

Vietnamese Buddhist Cultural Center of Florida, Inc.

I hereby certify that upon physical inspection of the three properties, that the strait line distance between the closest point on property line between the two properties are as follows:

2321 S.W. 127th Avenue, Davie, Florida to 1775 S. Flamingo Road : 2310.54 feet

2321 S.W. 127th Avenue, Davie, Florida to 2150 S. Flamingo Road : 1609.64 feet

This Survey has been prepared for the exclusive use of the entities named hereon and do not extend to any unnamed parties.  
NOT valid without the signature & raised seal of a Florida licensed surveyor & mapper

Richard J. Minguell  
Registered Land Surveyor & Mapper  
No. 6402, State of Florida





## P E T I T I O N

Both of the agenda items (6.3 Rezoning & 6.4 Variance) were approved at the Town of Davie Council meeting on Wednesday, October 18, 2006. The undersigned request the Town Council reconsider their decision to pass the 6.3 Rezoning and 6.4 Variance at the second reading. Both of these issues will adversely affect the surrounding communities.

*Ordinance - First Reading/Quasi Judicial Item (Second and final reading to be held November 4, 2006*

[http://www.davie-fl.gov/Pages/DavieFL\\_CouncilAgm/10182006/0603.pdf](http://www.davie-fl.gov/Pages/DavieFL_CouncilAgm/10182006/0603.pdf)

**6.3. REZONING** - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, APPROVING REZONING PETITION ZB 9-2-05, CHANGING THE CLASSIFICATION OF CERTAIN LANDS WITHIN THE TOWN OF DAVIE FROM A-1, AGRICULTURAL DISTRICT TO CF, COMMUNITY FACILITIES DISTRICT; AMENDING THE ZONING MAP TO COMPLY THEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (ZB 9-2-05, Vietnamese Buddhist Cultural Center of FL Inc., 2321 SW 127 Avenue) (from A-1 to CF) *Planning and Zoning recommended approval subject to not having to contribute to the "traffic calming phantom fund," however, they had to improve the roadway*

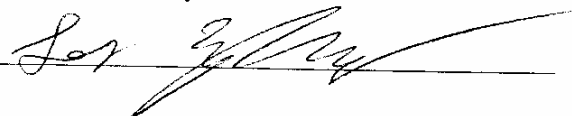
*Quasi Judicial Item*

[http://www.davie-fl.gov/Pages/DavieFL\\_CouncilAgm/10182006/0604.pdf](http://www.davie-fl.gov/Pages/DavieFL_CouncilAgm/10182006/0604.pdf)

**6.4. VARIANCE** - V 9-1-05, Vietnamese Buddhist Cultural Center of FL Inc., 2321 SW 127 Avenue (to reduce the distance between freestanding houses of worship from 2,500 feet to 1,609.64 feet from the Hanmi Baptist Church and 2,310.54 feet from the Calvary Chapel Sawgrass) (A-1) *Planning and Zoning recommended approval*

Date Signed: 10-23-06

Petitioner (Full Name/Print:): LIS I-glinger

Petitioner (Signature:): 

Petitioner Address: 1200 SW 127 LN Davie FL

33325

## P E T I T I O N

Both of the agenda items (6.3 Rezoning & 6.4 Variance) were approved at the Town of Davie Council meeting on Wednesday, October 18, 2006. The undersigned request the Town Council reconsider their decision to pass the 6.3 Rezoning and 6.4 Variance at the second reading. Both of these issues will adversely affect the surrounding communities.

*Ordinance - First Reading/Quasi Judicial Item (Second and final reading to be held November 4, 2006*

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*Quasi Judicial Item*

[http://www.davie-fl.gov/Pages/DavieFL\\_CouncilAgm/10182006/0604.pdf](http://www.davie-fl.gov/Pages/DavieFL_CouncilAgm/10182006/0604.pdf)

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Date Signed: 10/22/06

Petitioner (Full Name/Print: ) Nicole Lynn Eglinger

Petitioner (Signature: ) Nicole Lynn Eglinger

Petitioner Address: 1700 SW 127<sup>th</sup> Lane Davie, FL 33325

## P E T I T I O N

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*Quasi Judicial Item*

[http://www.davie-fl.gov/Pages/DavieFL\\_CouncilAgm/10182006/0604.pdf](http://www.davie-fl.gov/Pages/DavieFL_CouncilAgm/10182006/0604.pdf)

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Date Signed: October 22, 2006

Petitioner (Full Name/Print: ) ROBERTA L. ARDID

Petitioner (Signature: ) 

Petitioner Address: 1701 SW 127th LANE

## PETITION

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*Quasi Judicial Item*

[http://www.davie-fl.gov/Pages/DavieFL\\_CouncilAgn/10182006/0604.pdf](http://www.davie-fl.gov/Pages/DavieFL_CouncilAgn/10182006/0604.pdf)

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Date Signed: 10-22-06

Petitioner (Full Name/Print: Tamara A. Silvestri

Petitioner (Signature: Tamara A. Silvestri

Petitioner Address: 12830 SW 11th Place Davie FL 33325

## PETITION

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Date Signed: 10/22/06

Petitioner (Full Name/Print: ) Margaret Myers

Petitioner (Signature: ) Margaret Myers

Petitioner Address: 12811 SW 17th Davie, FL 33325

## PETITION

Both of the agenda items (6.3 Rezoning & 6.4 Variance) were approved at the Town of Davie Council meeting on Wednesday, October 18, 2006. The undersigned request the Town Council reconsider their decision to pass the 6.3 Rezoning and 6.4 Variance at the second reading. Both of these issues will adversely affect the surrounding communities.

*Ordinance - First Reading/Quasi Judicial Item (Second and final reading to be held November 4, 2006*

[http://www.davie-fl.gov/Pages/DavieFL\\_CouncilAgm/10182006/0603.pdf](http://www.davie-fl.gov/Pages/DavieFL_CouncilAgm/10182006/0603.pdf)

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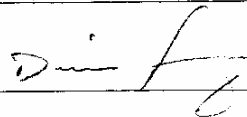
*Quasi Judicial Item*

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Date Signed: 10-22-06

Petitioner (Full Name/Print:): DAVID FARIZUGA

Petitioner (Signature:): 

Petitioner Address: 1721 SW 127 AVE DAVIE FL 33325

## PETITION

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*Quasi Judicial Item*

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Date Signed: 10-22-06

Petitioner (Full Name/Print: Cosiano J Gonzalez

Petitioner (Signature: [Signature]

Petitioner Address: 1721 SW 127 Lane Davie FL 33325

## P E T I T I O N

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Date Signed: \_\_\_\_\_

10/22/06

Petitioner (Full Name/Print:) \_\_\_\_\_

Joyce La Barbera

Petitioner (Signature:) \_\_\_\_\_

Joyce La Barbera

Petitioner Address: \_\_\_\_\_

1290 SW 15th Ave, Davie, FL 33325



## P E T I T I O N

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*Quasi Judicial Item*

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Date Signed: \_\_\_\_\_

*10/22/06*

Petitioner (Full Name/Print:)

*Ciro Lo Barbera*

Petitioner (Signature:)

*C. Lo Barbera*

Petitioner Address: \_\_\_\_\_

*12911 SW 15 Highway -  
Davie, FL 33317*

## PETITION

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*Quasi Judicial Item*

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Date Signed: 10/22/06

Petitioner (Full Name/Print: ) Phyllis de Keraut

Petitioner (Signature: ) Phyllis de Keraut

Petitioner Address: 12911 SW 15th Ave, Davie, FL

33314

## P E T I T I O N

Both of the agenda items (6.3 Rezoning & 6.4 Variance) were approved at the Town of Davie Council meeting on Wednesday, October 18, 2006. The undersigned request the Town Council reconsider their decision to pass the 6.3 Rezoning and 6.4 Variance at the second reading. Both of these issues will adversely affect the surrounding communities.

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*Quasi Judicial Item*

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Date Signed: 10/22/06

Petitioner (Full Name/Print: ) Barbara Johnson

Petitioner (Signature: ) Barbara Johnson

Petitioner Address: 12710 SW 15 Manor Davie, FL

## P E T I T I O N

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*Quasi Judicial Item*

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Date Signed: 10/22/06

Petitioner (Full Name/Print:)

Nalini Marag

Petitioner (Signature:)



Petitioner Address: 12701 SW 15<sup>th</sup> Manor

Davie FL 33325.

## PETITION

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*Quasi Judicial Item*

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Date Signed: 10-22-06

Petitioner (Full Name/Print: ) Laura Sa

Petitioner (Signature: ) Laura Sa

Petitioner Address: 1651 SW 127 AVE

DAVIE FL 33325

## P E T I T I O N

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*Quasi Judicial Item*

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Date Signed: 10-27-06

Petitioner (Full Name/Print: ) SHANE HORVATH

Petitioner (Signature: ) 

Petitioner Address: 12721 SW 15TH AVE DAVIE FL 33425

## P E T I T I O N

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Date Signed: 10/22/06

Petitioner (Full Name/Print: ) FATH HARVATH

Petitioner (Signature: ) FATH HARVATH

Petitioner Address: 10721 SW 15<sup>TH</sup> STREET

## PETITION

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Date Signed: 10/22/06

Petitioner (Full Name/Print:): Nicole Muller

Petitioner (Signature:): 

Petitioner Address: 12931 SW 17th PL Davie FL

33325



## PETITION

Both of the agenda items (6.3 Rezoning & 6.4 Variance) were approved at the Town of Davie Council meeting on Wednesday, October 18, 2006. The undersigned request the Town Council reconsider their decision to pass the 6.3 Rezoning and 6.4 Variance at the second reading. Both of these issues will adversely affect the surrounding communities.

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Date Signed: 10/21/06

Petitioner (Full Name/Print:)

THAN GEORGE

Petitioner (Signature:)

Than George

Petitioner Address:

12340 SW 17th Pl. Davie, 33325

## PETITION

Both of the agenda items (6.3 Rezoning & 6.4 Variance) were approved at the Town of Davie Council meeting on Wednesday, October 22, 2006. The undersigned request the Town Council reconsider their decision to pass the 6.3 Rezoning and 6.4 Variance at the second reading. Both of these issues will adversely affect the surrounding communities.

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Date Signed: 10/22/06

Petitioner (Full Name/Print:)

Sally Hering

Petitioner (Signature:)

Sally Hering

Petitioner Address:

1640 SW 127 Lane

## PETITION

Both of the agenda Items (6.3 Rezoning & 6.4 Variance) were approved at the Town of Davie Council meeting on Wednesday, October 22, 2006. The undersigned request the Town Council reconsider their decision to pass the 6.3 Rezoning and 6.4 Variance at the second reading. Both of these issues will adversely affect the surrounding communities.

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**6.3. REZONING** - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, APPROVING REZONING PETITION ZB 9-2-05, CHANGING THE CLASSIFICATION OF CERTAIN LANDS WITHIN THE TOWN OF DAVIE FROM A-1, AGRICULTURAL DISTRICT TO CF, COMMUNITY FACILITIES DISTRICT; AMENDING THE ZONING MAP TO COMPLY THEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (ZB 9-2-05, Vietnamese Buddhist Cultural Center of FL Inc., 2321 SW 127 Avenue) (from A-1 to CF) *Planning and Zoning recommended approval subject to not having to contribute to the "traffic calming phantom fund," however, they had to improve the roadway*

*Quasi Judicial Item*

[http://www.davie-fl.gov/Pages/DavieFL\\_CouncilAgm/10162006/0604.pdf](http://www.davie-fl.gov/Pages/DavieFL_CouncilAgm/10162006/0604.pdf)

**6.4. VARIANCE** - V 9-1-05, Vietnamese Buddhist Cultural Center of FL Inc., 2321 SW 127 Avenue (to reduce the distance between freestanding houses of worship from 2,500 feet to 1,609.64 feet from the Hanmi Baptist Church and 2,310.54 feet from the Calvary Chapel Sawgrass) (A-1) *Planning and Zoning recommended approval*

Date Signed: 10/22/06

Petitioner (Full Name/Print: ) Eleanor E. Williams

Petitioner (Signature: ) Eleanor E. Williams

Petitioner Address: 1691 SW 127th Ave, Davie FL 33325

## PETITION

Both of the agenda items (6.3 Rezoning & 6.4 Variance) were approved at the Town of Davie Council meeting on Wednesday, October 22, 2006. The undersigned request the Town Council reconsider their decision to pass the 6.3 Rezoning and 6.4 Variance at the second reading. Both of these issues will adversely affect the surrounding communities.

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Date Signed: 10-22-06

Petitioner (Full Name/Print: ) MICHAEL F AUSTIN

Petitioner (Signature: ) 

Petitioner Address: 1710 SW 127 LANE

## P E T I T I O N

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Date Signed: 10/22/06

Petitioner (Full Name/Print:)

Christina Montford

Petitioner (Signature:)

CMontford

Petitioner Address:

1631 SW 127th Lane

## PETITION

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Date Signed: 10/22/06

Petitioner (Full Name/Print:) Anta Glavano

Petitioner (Signature:) Anta Glavano

Petitioner Address: 12900 SW 15th Manor  
Davie, FL 33325

## PETITION

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Date Signed: 10-22-06

Petitioner (Full Name/Print: ) Jacqueline Myatt

Petitioner (Signature: ) Jacqueline Myatt

Petitioner Address: 12801 S.W. 15th Ave Davie 33325

## P E T I T I O N

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Date Signed: 10-22-06

Petitioner (Full Name/Print: ) Jacqueline Myatt

Petitioner (Signature: ) Jacqueline Myatt

Petitioner Address: 12801 S.W. 15th Ave Davie 33325



## PETITION

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Date Signed: 10/20/06

Petitioner (Full Name/Print: ) Thomas U. Mac

Petitioner (Signature: ) Thomas U. Mac

Petitioner Address: 12941 Spr 157th Ave  
DAVIE FL 33328

## PETITION

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Date Signed: 10/22/06

Petitioner (Full Name/Print:)

Steven Lesore

Petitioner (Signature:)

Steven Lesore

Petitioner Address:

1631 SW 129 Way

## PETITION

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*Quasi Judicial Item*

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Date Signed: 10/22/06

Petitioner (Full Name/Print: ) Steve Miller

Petitioner (Signature: ) [Signature]

Petitioner Address: 12931 SW 17th PL Davie

FL 33325

## P E T I T I O N

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Date Signed: 10-22-06

Petitioner (Full Name/Print:): Lucia Herrera

Petitioner (Signature:): Lucia Herrera

Petitioner Address: 1721 SW 127 Ave Davie FL 33321

## P E T I T I O N

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Date Signed: 10-22-06

Petitioner (Full Name/Print:): NICOLE L MELVIN

Petitioner (Signature:): Nicole L Melvin

Petitioner Address: 1720 S.W. 127 Avenue

Davie, FL 33328

## P E T I T I O N

Both of the agenda items (6.3 Rezoning & 6.4 Variance) were approved at the Town of Davie Council meeting on Wednesday, October 18, 2006. The undersigned request the Town Council reconsider their decision to pass the 6.3 Rezoning and 6.4 Variance at the second reading. Both of these issues will adversely affect the surrounding communities.

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Date Signed: 10-22-06

Petitioner (Full Name/Print:) Tele Mancinelli

Petitioner (Signature:) Tele Mancinelli

Petitioner Address: 1601 SW 127 Ave Davie FL 33325

## P E T I T I O N

Both of the agenda items (6.3 Rezoning & 6.4 Variance) were approved at the Town of Davie Council meeting on Wednesday, October 18, 2006. The undersigned request the Town Council reconsider their decision to pass the 6.3 Rezoning and 6.4 Variance at the second reading. Both of these issues will adversely affect the surrounding communities.

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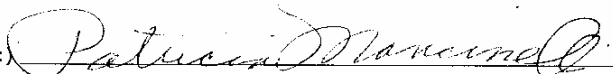
*Quasi Judicial Item*

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Date Signed: 10-22-06

Petitioner (Full Name/Print:): Patricia Mancinelli

Petitioner (Signature): 

Petitioner Address: 1601 SW 127 AVE Davie FL 33325

## P E T I T I O N

Both of the agenda items (6.3 Rezoning & 6.4 Variance) were approved at the Town of Davie Council meeting on Wednesday, October 18, 2006. The undersigned request the Town Council reconsider their decision to pass the 6.3 Rezoning and 6.4 Variance at the second reading. Both of these issues will adversely affect the surrounding communities.

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*Quasi Judicial Item*

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Date Signed: 10/22/06

Petitioner (Full Name/Print:): Donna Silva

Petitioner (Signature:): Donna Silva

Petitioner Address: 12731 SW 15th Mandal



## PETITION

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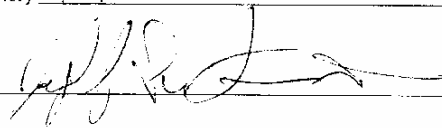
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Date Signed: 10-22-06

Petitioner (Full Name/Print:) R. Frie Scott Jeff

Petitioner (Signature:) 

Petitioner Address: 1600 SW 127<sup>th</sup> Davie Fla. 33325

## PETITION

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Date Signed: 10-22-06

Petitioner (Full Name/Print:): Jeff Redden

Petitioner (Signature:): Jeff Redden

Petitioner Address: 12120 SW 117th St Davie, FL 33325

## PETITION

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Date Signed: \_\_\_\_\_

10/22/06

Petitioner (Full Name/Print:) \_\_\_\_\_

Serry Myralt

Petitioner (Signature:) \_\_\_\_\_

[Signature]

Petitioner Address: \_\_\_\_\_

12801 SW 15 Manor

## PETITION

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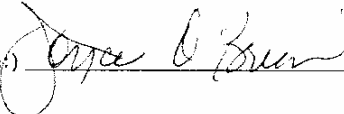
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Date Signed: 10/22/06

Petitioner (Full Name/Print: ) Joyce O'Brien

Petitioner (Signature: ) 

Petitioner Address: 1551 SW 129 Way

## P E T I T I O N

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Date Signed: 10/23/06

Petitioner (Full Name/Print: ) Wanda Williams

Petitioner (Signature: ) Wanda Williams

Petitioner Address: 1600 SW 127 Ave.

## PETITION

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Date Signed: 10/22/06

Petitioner (Full Name/Print:): ROBERT F. O'BRIEN

Petitioner (Signature:): 

Petitioner Address: 1551 SW 129 WAY

## PETITION

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Date Signed: 10/22/06

Petitioner (Full Name/Print: ) Jean M. Miller

Petitioner (Signature: ) Jean M. Miller

Petitioner Address: 12941 SW 15<sup>th</sup> Manor  
Davie, FL 33325

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[http://www.davis-ell.com/Page\\_015\\_dell\\_Conn\\_9/Acc/UMS/UMG/0006.ppt](http://www.davis-ell.com/Page_015_dell_Conn_9/Acc/UMS/UMG/0006.ppt)

Quasi Judicial Item

[http://www.davie-fl.gov/Pages/DavieFL\\_Council/can/2016/2016-0504.pdf](http://www.davie-fl.gov/Pages/DavieFL_Council/can/2016/2016-0504.pdf)

Date Signed: 10/24/06

Petitioner (Full Name/Print): THOMAS L. KELLY

Petitioner (Signature): \_\_\_\_\_

Petitioner Address: 1620 SW 129th Ave, Plant

33321



## PETITION

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Date Signed: 10-22-06

Petitioner (Full Name/Print: ) DADE J Morrow

Petitioner (Signature: ) 

Petitioner Address: 1620 S.W 127<sup>th</sup> Ln Davie

## P E T I T I O N

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Date Signed: 12/22/2006

Petitioner (Full Name/Print: ) Heather Zyjewski

Petitioner (Signature: ) Heather Zyjewski

Petitioner Address: 12921 SW 15 Manor

## PETITION

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Date Signed: 10-22-06

Petitioner (Full Name/Print: ) JASON LANGE

Petitioner (Signature: ) Jason Lange

Petitioner Address: 1640 SW 127 Lane

## P E T I T I O N

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Date Signed: 10-22-06

Petitioner (Full Name/Print:): Stephanie Silber

Petitioner (Signature:): Stephanie Silber

Petitioner Address: 1630 SW 127 Way Davie, FL 33325

TO: Town of Davie Council Members

DATE: November 15<sup>th</sup>, 2006

**PETITION TO "RECONSIDER TOWN COUNCIL'S VOTE  
AND VOTE NO ON REQUEST FOR VARIANCE AND  
REZONING OF 2321 SW 127<sup>th</sup> Avenue" (ZB 9-2-05)**

We the undersigned residents of the Town of Davie, formally request the Town Council reconsider their previous votes on the Variance and Rezoning (ZB 9-2-05) of the property located on 2321 SW 127<sup>th</sup> Avenue. We request Town Council reconsider their previous votes and VOTE NO for the following reasons:

1. Official notice to all interested parties within 1000 feet was not properly made due to incorrect mailing addresses within the Town's records.
2. Inadequate notification of all interested parties within the 1000 feet and within the same neighborhood, residing literally across the street.
3. The proposed uses of the land as a community facility is inconsistent with the immediate surrounding areas, would adversely affect the surrounding communities and significantly impact traffic posing a hazard to the children in our communities.

We the undersigned residents agree and consent that this petition may be used as necessary to carry out its purpose and intent and may be made part of any record, public or otherwise.

Name: Janet Williams

Address: 12942 SW 26 St

Signature: [Signature]

Name: Donna Merolle

Address: 12972 SW 26 St

Signature: [Signature]

Name: Don E. Friedewald

Address: 12911 SW 26 St

Signature: [Signature]

Name: Donna Friedewald

Address: 12911 S.W. 26 St.

Signature: Donna M. Friedewald

Name: CARLY CONNORS

Address: 12971 S.W. 26 St

Signature: [Signature]

Name: ELAINE CONNORS

Address: 12971 SW 26 ST.

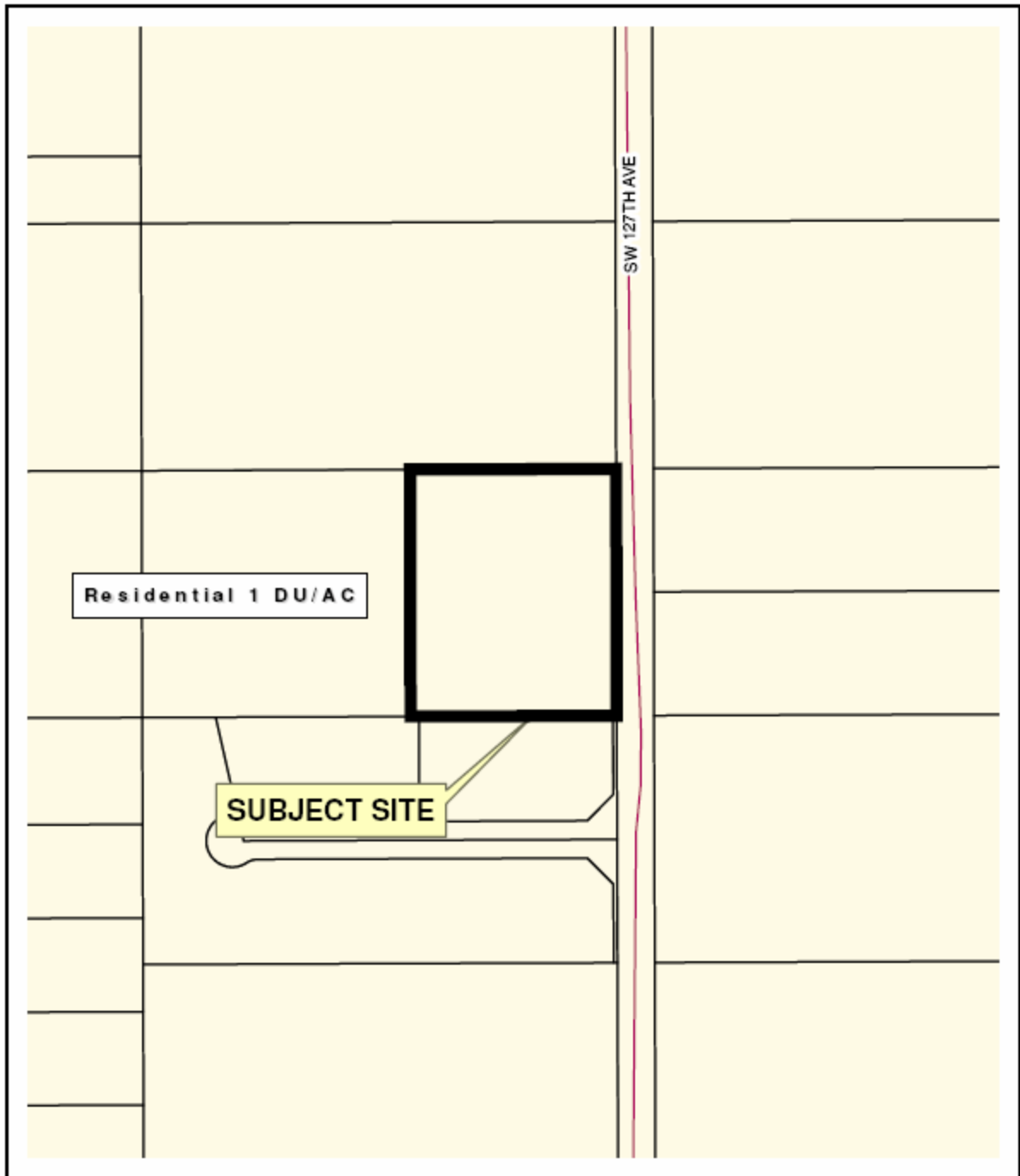
Signature: Elaine Connors

**PETITION TO "RECONSIDER TOWN COUNCIL'S VOTE  
AND VOTE NO ON REQUEST FOR VARIANCE AND  
REZONING OF 2321 SW 127<sup>th</sup> Avenue" (ZB 9-2-05)**

Name: <u>DARLENE STEROCK</u>	Name: <u>THOMAS J. STEROCK</u>
Address: <u>12882 SW 26th ST</u>	Address: <u>12882 SW 26TH ST</u>
Signature: <u>[Signature]</u>	Signature: <u>[Signature]</u>
Name: <u>ANDREW SILVERMAN</u>	Name: <u>ANGEL RICHARDO</u>
Address: <u>12852 SW 26th ST</u>	Address: <u>12941 SW 26 ST</u>
Signature: <u>[Signature]</u>	Signature: <u>[Signature]</u>
Name: <u>ANGIE COLEMAN</u>	Name: <u>Lena RicharDO</u>
Address: <u>12731 SW 26 ST</u>	Address: <u>12941 SW 26th ST</u>
Signature: <u>[Signature]</u>	Signature: <u>[Signature]</u>
Name: <u>Mark Renner</u>	Name: <u>Daniela Aranciso</u>
Address: <u>12821 SW 26 ST</u>	Address: <u>12912 SW 26 Street</u>
Signature: <u>[Signature]</u>	Signature: <u>[Signature]</u>
Name: <u>Maria P. Renner</u>	Name: <u>Luis Rodriguez</u>
Address: <u>12821 SW 26 ST</u>	Address: <u>12912 SW 26th ST</u>
Signature: <u>[Signature]</u>	Signature: <u>[Signature]</u>
Name: <u>Alexandra Zamora</u>	Name: <u>DAVID WARREN</u>
Address: <u>12792 SW 26 ST</u>	Address: <u>12761 SW 26th ST</u>
Signature: <u>[Signature]</u>	Signature: <u>[Signature]</u>
Name: <u>WILFREDO ZAMORA</u>	Name: <u>Charlene Warren</u>
Address: <u>12792 SW 26th ST</u>	Address: <u>12761 SW 26th ST</u>
Signature: <u>[Signature]</u>	Signature: <u>[Signature]</u>

**PETITION TO "RECONSIDER TOWN COUNCIL'S VOTE  
AND VOTE NO ON REQUEST FOR VARIANCE AND  
REZONING OF 2321 SW 127<sup>th</sup> Avenue" (ZB 9-2-05)**

Name: <u>STEWART ALVAREZ</u>	Name: <u>James P. Williams</u>
Address: <u>12791 SW 26<sup>th</sup> ST</u>	Address: <u>12942 SW 26<sup>th</sup> ST</u>
Signature: <u>[Signature]</u>	Signature: <u>[Signature]</u>
Name: <u>AMY JO ALVAREZ</u>	Name: <u>Joseph Pensabem</u>
Address: <u>12791 SW 26<sup>th</sup> ST</u>	Address: <u>12732 SW 26<sup>th</sup> ST</u>
Signature: <u>[Signature]</u>	Signature: <u>[Signature]</u>
Name: <u>Margot Poux</u>	Name: <u>Paul H. Pensabem</u>
Address: <u>12701 SW 26<sup>th</sup> ST</u>	Address: <u>12732 SW 26<sup>th</sup> ST</u>
Signature: <u>[Signature]</u>	Signature: <u>[Signature]</u>
Name: <u>Paul H. Westcott</u>	Name: <u>Alexandro Tolar</u>
Address: <u>12762 SW 26<sup>th</sup> ST</u>	Address: <u>12802 SW 26<sup>th</sup> ST</u>
Signature: <u>[Signature]</u>	Signature: <u>[Signature]</u>
Name: <u>CHRISTOPHER KEE</u>	Name: <u>Theresa Diana Tolar</u>
Address: <u>12762 SW 26<sup>th</sup> ST</u>	Address: <u>12822 SW 26<sup>th</sup> ST</u>
Signature: <u>[Signature]</u>	Signature: <u>[Signature]</u>
Name: <u>DANA R. WESTCOTT</u>	Name: _____
Address: <u>12762 SW 26<sup>th</sup> ST</u>	Address: _____
Signature: <u>[Signature]</u>	Signature: _____
Name: <u>Emmanuel Poux</u>	Name: _____
Address: <u>12701 SW 26<sup>th</sup> ST</u>	Address: _____
Signature: <u>[Signature]</u>	Signature: _____



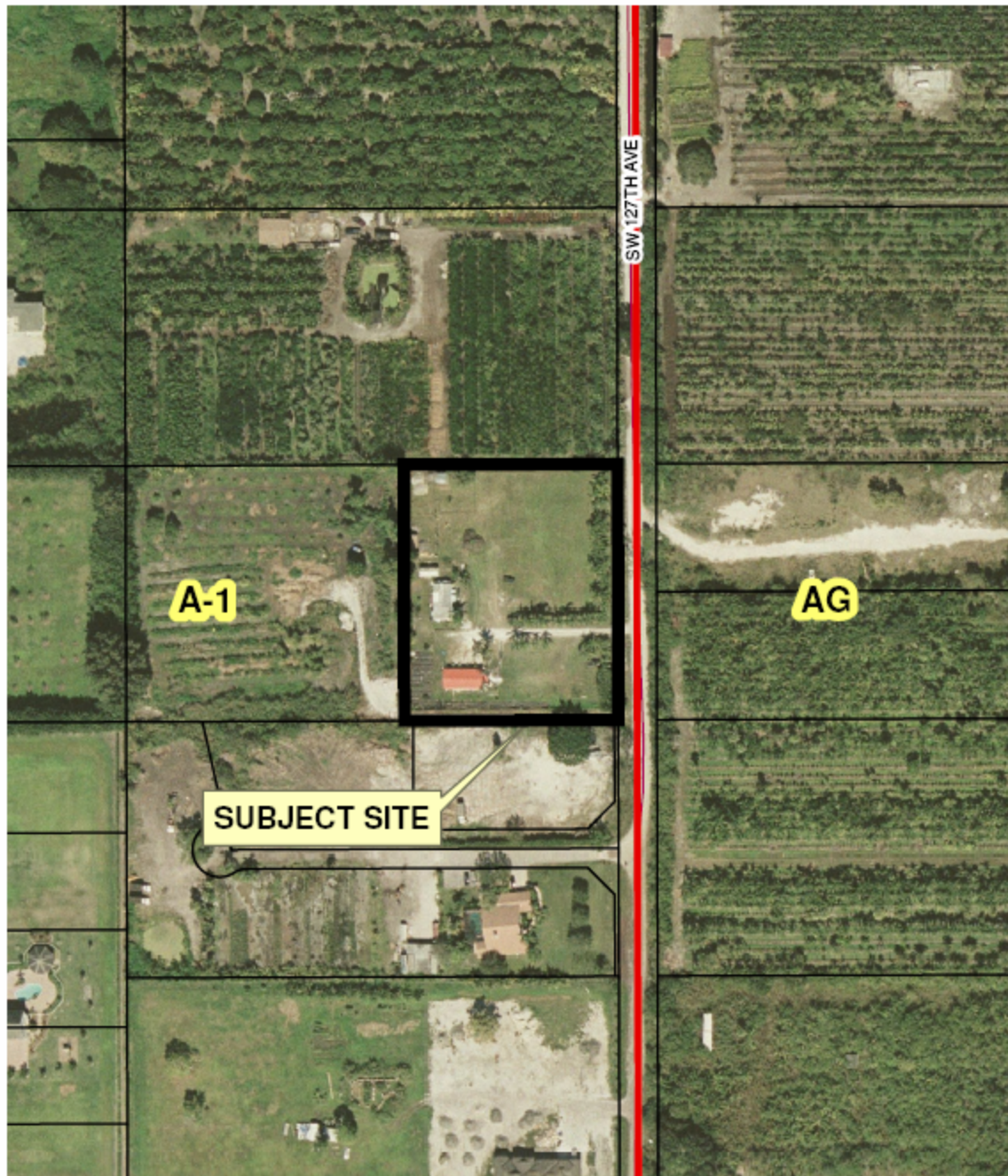
0 100 200 400 Feet

Prepared by the Town of Davie GIS Division

**REZONING  
ZB 9-2-05  
Future Land Use Map**

Prepared by: ID  
Date Prepared: 9/5/08





Date Flown:  
12/2004



0 100 200 400 Feet

Prepared by the Town of Davie GIS Division

## REZONING ZB 9-2-05 Zoning and Aerial Map

Prepared by: ID  
Date Prepared: 9/5/06

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